

# EXHIBIT Q



NYC Department of Buildings  
280 Broadway, New York, NY 10007

Patricia J. Lancaster, FAIA, Commissioner

**Phyllis Arnold**

Deputy Commissioner, Legal Affairs and  
Chief Code Counsel  
212.566.3291  
212.566.3843 fax  
[phyllisa@buildings.nyc.gov](mailto:phyllisa@buildings.nyc.gov)

October 29, 2007

R. Fulton Macdonald  
Third Church of Christ, Scientist  
583 Park Avenue  
New York, NY 10021

Louis Rose  
Rose Group Park Avenue LLC  
583 Park Avenue  
New York, NY 10021

Michael L. Goldblum  
The Building Studio LLP  
307 West 38 Street – Room 1701  
New York, NY 10018

Re: Intent to Revoke Approval and Permit  
583 Park Avenue, Manhattan (the "premises")  
Application No. 104511495

Gentlemen:

The Commissioner of Buildings intends to revoke the approval(s) and permit(s) issued for work at the premises in connection with the application referenced above, pursuant to Section 27-197 of the Administrative Code of the City of New York ("AC"), within 10 days of the posting of this letter by mail unless sufficient information is presented to the Department of Buildings ("Department") to demonstrate that the permit should not be revoked.

Pursuant to AC §27-197, the Commissioner may revoke a permit for failure to comply with the provisions of any applicable law or regulation, or a false statement or misrepresentation of material fact in the application, accompanying plans or papers on the basis of which the permit was issued, or whenever any permit has been issued in error.

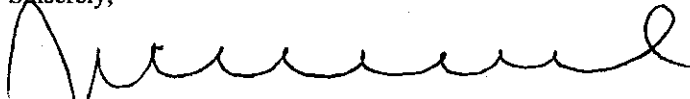
We have reviewed letters dated March 12, 2007, March 30, 2007, and October 5, 2007 from counsel for neighboring buildings challenging the permit issued for a catering activity at the premises to the extent of its status as an "accessory use" to the Church at the premises. We have also reviewed letters submitted by the Church's attorney dated April 20, 2007 as revised May 8, 2007 and October 10, 2007 addressing these complaints. Based on the information presented to us thus far, the catering establishment is not an accessory use because it does not comport with the Zoning Resolution's requirement that it be "clearly incidental to, and customarily found" in connection with the Church. Rather it appears to be a principal commercial establishment at the premises. Therefore, absent additional information as set forth above, the permit will be revoked.

Pending submission of further information and a resolution of the issue, the Department will continue to issue Temporary Place of Assembly permits, but only to the extent of events currently booked at the catering facility and in no event beyond six (6) months from the date of this letter and on the condition that the Department is provided with a list no later than November 5, 2007 of booked events for the period in question for which the caterer has signed contracts.

Third Church of Christ Scientist  
October 29, 2007  
Page 2

Please contact the undersigned with any questions regarding this notice.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Phyllis Arnold'.

Phyllis Arnold  
Deputy Commissioner for Legal Affairs

C: Christopher Santulli  
Fatma Amer  
Michael Alacha  
Barry Romm  
Dileep Khedekar  
Max Lee  
Dennis Zambotti  
Application folder  
Revocation file  
Premises file  
Mona Sehgal  
Felicia Miller  
Angelina Martinez-Rubio  
Jay A. Segal  
Phyllis H. Weisberg

EXHIBIT R



NYC Department of Buildings  
280 Broadway, New York, NY 10007  
Patricia J. Lancaster, FAIA, Commissioner

**Fatma Amer, PE**  
Deputy Commissioner  
212.566.3248  
212.566.3796 fax  
fatmaa@buildings.nyc.gov

November 30, 2007

R. Fulton Macdonald  
Third Church of Christ, Scientist  
583 Park Avenue  
New York, NY 10021

Louis Rose  
Rose Group Park Avenue LLC  
583 Park Avenue  
New York, NY 10021

Michael L. Goldblum  
The Building Studio LLP  
307 West 38 Street – Room 1701  
New York, NY 10018

Re: Revocation of Approval and Permit  
583 Park Avenue, Manhattan (the "premises")  
Application No. 104511495

Gentlemen:

On October 29, 2007, the Department of Buildings ("Department") issued a Notice of Intent to Revoke the referenced permit for failure of the catering establishment at the premises to comply with the Zoning Resolution's accessory use provisions. The Department has not received any information suggesting that the catering establishment complies with zoning. Accordingly, we find that the catering establishment is not "clearly incidental to" the Church's primary use of the premises. Rather it appears to be a principal commercial establishment there. Therefore, the referenced approval and permit is hereby revoked.

As noted in the October 29, 2007 letter, the Department will continue to issue Temporary Place of Assembly permits, but only to the extent of those 39 events booked at the catering facility for a period of six months from October 29, 2007 and appearing on the list of events provided to the Department November 5, 2007. A copy of that list is attached.

Sincerely,

A handwritten signature in black ink, appearing to read "Fatma Amer", written over a horizontal line.

Fatma Amer  
Deputy Commissioner for Technical Affairs

Third Church of Christ Scientist  
November 30, 2007  
Page 2

C: Christopher Santulli  
Phyllis Arnold  
Michael Alacha  
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Premises file  
Mona Sehgal  
Felicia Miller  
Angelina Martinez-Rubio  
Victor Kovner  
Jay A. Segal  
Phyllis H. Weisberg

Confirmed Event Dates at 583 Park Avenue  
From 10/29/07 - 4/29/07

| Event Date | Event Name                         | Event Times      |
|------------|------------------------------------|------------------|
| 10/30/2007 | Avon Foundation                    | 6:30pm - 10:30pm |
| 11/1/2007  | UJA Luncheon                       | 11:15am - 2:00pm |
| 11/1/2007  | Bob Hardwick Reception             | 7:00pm - 10:00pm |
| 11/2/2007  | ICI                                | 6:00pm - 11:00pm |
| 11/5/2007  | Sundance Institute                 | 6:30pm - 10:30pm |
| 11/6/2007  | Strive New York                    | 6:30pm - 10:30pm |
| 11/8/2007  | Global Endeavor                    | 6:30pm - 10:30pm |
| 11/11/2007 | Events in Motion - Warner Brothers | 8:30pm - 11:30pm |
| 11/12/2007 | World Childhood Foundation         | 6:30pm - 10:30pm |
| 11/13/2007 | First Republic Bank                | 7:00pm - 9:00pm  |
| 11/15/2007 | Business Execs for Nat'l Security  | 6:30pm-10:30pm   |
| 11/26/2007 | Garden House School                | 6:00pm - 9:00pm  |
| 11/27/2007 | UBS Holiday Dinner                 | 6:00pm - 11:00pm |
| 11/29/2007 | Queen Sofia/Spanish Institute      | 7:30pm - 12:00am |
| 12/3/2007  | Jamaica Business Resource Center   | 7:00pm - 11:00pm |
| 12/3/2007  | Oscar de la Renta                  | 12:30pm - 2:00pm |
| 12/4/2007  | Hedge Fund Intelligence            | 6:00pm - 11:00pm |
| 12/6/2007  | WSTA                               | 6:00pm - 11:00pm |
| 12/8/2007  | Fidessa Corp.                      | 7:00pm - 1:00am  |
| 12/10/2007 | Morgan Stanley                     | 6:30pm - 10:30pm |
| 12/11/2007 | UBS                                | 6:00pm - 11:00pm |
| 12/13/2007 | Citigroup                          | 6:00pm - 11:00pm |
| 12/14/2007 | Keefe, Bruyette & Woods            | 6:00pm - 10:00pm |
| 12/20/2007 | DLA Piper                          | 6:00p - 11:00pm  |
| 1/25/2008  | UNFCU Gala                         | 6:30pm - 11:30pm |
| 1/26/2008  | Berkowitz Lee Wedding              | 7:00pm - 12:00am |
| 2/4/2008   | Oscar de la Renta                  | 12:00pm - 2:00pm |
| 3/8/2008   | Reiss Bar Mitzvah                  | 7:00pm - 12:00am |
| 3/10/2008  | Signature Theatre Company          | 6:30pm - 10:30pm |
| 4/5/2008   | Weil - Lax Wedding                 | TBD              |
| 4/8/2008   | Horticultural Society              | 7:00pm - 11:00pm |
| 4/10/2008  | Willkie, Farr & Gallagher          | 6:30pm - 11:30pm |
| 4/12/2008  | Lustig Bat Mitzvah                 | TBD              |
| 4/14/2008  | Oscar de la Renta                  | 12:00pm - 2:00pm |
| 4/15/2008  | Allen Stevenson                    | 6:00pm - 9:00pm  |
| 4/16/2008  | Bard Graduate Center               | 12:00pm - 2:30pm |
| 4/26/2008  | Van Lee Birthday                   | 6:00pm - 11:00pm |
| 4/28/2008  | Arts Connection                    | 7:00pm - 11:00pm |

EXHIBIT S



## DEPARTMENT OF BUILDINGS

Borough of

SABAGITA

THE CITY OF NEW YORK

April 14, 1972

No. 71914

## CERTIFICATE OF OCCUPANCY

NO CHANGE OF USE OR OCCUPANCY NOT CONSISTENT WITH THIS CERTIFICATE SHALL BE MADE UNLESS FIRST APPROVED BY THE BOROUGH SUPERINTENDENT

This certificate is issued in C. O. No. 19805

THIS CERTIFICATE is for the building premises located at Block 1397 Lot 69

That the building lot and premises above referred to are situated, bounded and described as follows:

BEING a portion of the lot at a point on the south side of Park Avenue and East 100th Street, the corner formed by the intersection of Park Avenue and East 100th Street, south 75' 3" and east 100' feet thence south 80' feet thence north 132' 6" west 150' feet thence

That the building, as constructed, conforms substantially to the approved plans and specifications, and to the requirements of the Building Code, the Zoning Resolution and all other laws and ordinances, and of the rules of the Board of Standards and Appeals, applicable to a building of its class and at the time the permit was issued; and

CERTIFIES FURTHER that, any provisions of Section 646 of the New York Charter have been complied with as required by a report of the Fire Commissioner to the Borough Superintendent.

Class 1  
Fireproof  
Construction classification—  
Height 15 & P.H. stories, 150 feet  
Zoning District  
March 23, 1972  
Class 1  
Fireproof  
Height 15 & P.H. stories, 150 feet  
Zoning District  
March 23, 1972

This certificate is issued subject to the limitations hereinafter specified and to the following regulations of the Board of Standards and Appeals:

and The City Planning Commission:

255-71-82

## PERMISSIBLE USE AND OCCUPANCY

On Street Parking Spaces

On Street Loading Berths

| FLOOR          | LIVE LOAD<br>(lbs. per Sq. Ft.) | PERSONS<br>ACCOMMODATED | USE   |
|----------------|---------------------------------|-------------------------|---|
| Clr. On Ground |                                 |                         | Boiler room, storage, maintenance, workshop, office and paint storage.  |
| Basmt.         | 100                             | 12                      | Doctor's office suite, valet shop, kitchen, storage, locker and service rooms, laundry.   |
| 1st            | 170                             | 316                     | Hotel Restaurant (for tenants), private dining rooms, hotel offices, lobby and lounge, Doctor's suite and School for Adults, Use Group 9. |
| 2nd            | 40                              |                         | Ten (10) apartments.  |
| 3rd            | 40                              |                         |   |
| 4th            | 40                              |                         |   |
| 5th Incl.      | each                            |                         | Nine (9) apartments on each story.  |
| 6th            | 40                              |                         | Eleven (11) apartments.   |
| 7th            | 40                              |                         | Nine (9) apartments.  |
| 8th            | 40                              |                         | Ten (10) apartments.  |
| 9th            | 40                              |                         | Nine (9) apartments.  |
| 10th           | 40                              |                         |   |
| 11th           | 40                              |                         |   |
| 12th           | each                            |                         | Nine (9) apartments on each story.  |
| 13th           | 40                              |                         |   |

OVER  
HIS CERTIFICATE

Borough Superintendent



PERMISSIBLE USE AND OCCUPANCY (continued)

| FLOOR | LIVE LOAD<br>(PSF) | FLOOR<br>ACCOMMODATED | USE                  |
|-------|--------------------|-----------------------|----------------------|
| 2nd   | 40                 |                       | Five (5) apartments. |

FILED IN PLANNING RECORDS  
 Building System - Jan. 27, 1951.  
 Sprinkler System - December 8, 1949.  
 Fire Alarm - January 6, 1953.

NOTE: This is an AMENDED Certificate of  
 Occupancy for change of use on  
 Basement, 1st and 9th floors only.

THIS CERTIFICATE SHALL ALSO BE CONSIDERED A CERTIFICATE  
 OF COMPLIANCE ON OCCUPANCY WITH SECTION 501 OF THE  
 MULTIPLE DWELLING LAW

*Kenneth F. Vanden*  
 Borough Superintendent



**The Beekman > 575 Park Avenue**, located at the Southeast corner of 63rd Street

With its dark buff-colored brick façade with terra-cotta trim and a limestone base, the Beekman Hotel, as it is known, has the appearance of a dusty and sedate dowager: elegantly conservative, but a bit dour.

Step inside, however, and you might think you hear the flourish of brightly garbed trumpeters as the lobby is supremely impressive with superb and rich detailing. A large and handsome concierge station precedes a small flight of stairs to the elegant bank and the ambiance is quite baronial and the equal of the finest small hotels in Europe.

The building was designed by George F. Pelham in an Italian Renaissance style and completed in 1927. It has 130 cooperative apartments, all with fireplaces. An adjoining building on 63rd Street was subsequently expanded into, but its apartments have no fireplaces. Most of the units are relatively small as the building has 349 rooms and 218 bathrooms.

The small apartments have long been popular as pied-a-terres given the building's prime location and its residents over the years have included former New York Attorney General Louis Lefkowitz, politician Stanley Steingut, actor Douglas Fairbanks Jr., entertainers Steve Lawrence and Eydie Gorme, and financier Henry Kaufmann.

A large restaurant in the building, the Park Avenue Cafe, has its own entrance on 63rd Street and its space was formerly occupied by two other famous restaurants, Hubert's and Le Perigord Park.



| OPTIONS  |
|--|
| • <a href="#">Schedule an Appointment &gt;</a>       |
| • <a href="#">Save Building (email updates) &gt;</a> |
| • <a href="#">Peer Buildings &gt;</a>                |
| • <a href="#">Area Maps &gt;</a>                     |
| • <a href="#">Building Ratings &gt;</a>              |
| • <a href="#">Sell Your Apartment &gt;</a>           |
| • <a href="#">Inquire About Buying Here &gt;</a>     |

[PREV](#) [1](#) [2](#) [NEXT](#)

**The Beekman > 575 Park Avenue** , at the Southeast corner of 63rd Street

#### Pricing Information

2 bedrooms from \$4,200,000 (updated 10/18/2007)  
 4 bedrooms from \$3,250,000 (updated 12/21/2007)  
 3 bedrooms from \$2,200,000 (updated 12/21/2007)  
 1 bedrooms from \$549,000 to \$699,500 (updated 12/18/2007)

#### Overview

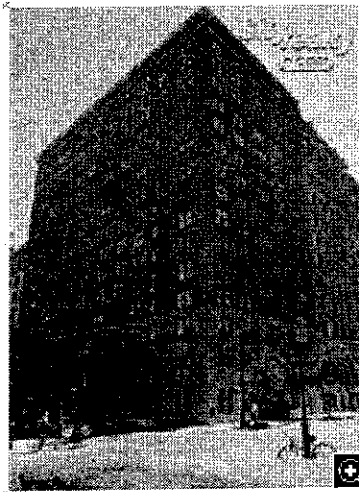
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The building was designed by George F. Pelham in an Italian Renaissance style and completed in 1927. It has 130 cooperative apartments, all with fireplaces. An adjoining building on 63rd Street was subsequently expanded into, but its apartments have no fireplaces. Most of the units are relatively small as the building has 349 rooms and 218 bathrooms. [Read the full review>>](#)

#### For More Information

For more information about buying an apartment in The Beekman, please call us at **212-755-5544**, or [contact us by email >>](#)



#### OPTIONS

- [Full Profile >](#)
- [Schedule an Appointment >](#)
- [Save Building \(email updates\) >](#)
- [Peer Buildings >](#)
- [Area Maps >](#)
- [Building Ratings >](#)
- [Sell Your Apartment >](#)
- [Inquire About Buying Here >](#)

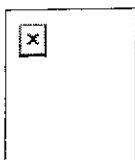
#### Building Summary    Features/Amenities    Building Features

- |  |  |  |
|--|--|--|
| <ul style="list-style-type: none"> <li>&gt; Cooperative</li> <li>&gt; Built in 1927</li> <li>&gt; Located in <a href="#">Park/Fifth Ave. to 79th St.</a></li> <li>&gt; 131 Apartments</li> <li>&gt; 15 Floors</li> <li>&gt; 50% Down</li> <li>&gt; 15% tax deductible</li> </ul> | <ul style="list-style-type: none"> <li>&gt; Full-time Doorman</li> <li>&gt; Basement Storage</li> <li>&gt; Health Club</li> <li>&gt; Roof Deck</li> <li>&gt; Elevator</li> </ul> | <ul style="list-style-type: none"> <li>&gt; Prime location</li> <li>&gt; Magnificent lobby</li> <li>&gt; Concierge and doorman</li> <li>&gt; Roof deck</li> <li>&gt; Hotel Services</li> <li>&gt; Health club</li> </ul> |
|--|--|--|

#### Peer Buildings



[The Verona](#)



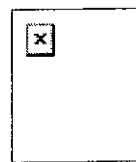
[The Mark](#)



[605 Park Avenue](#)

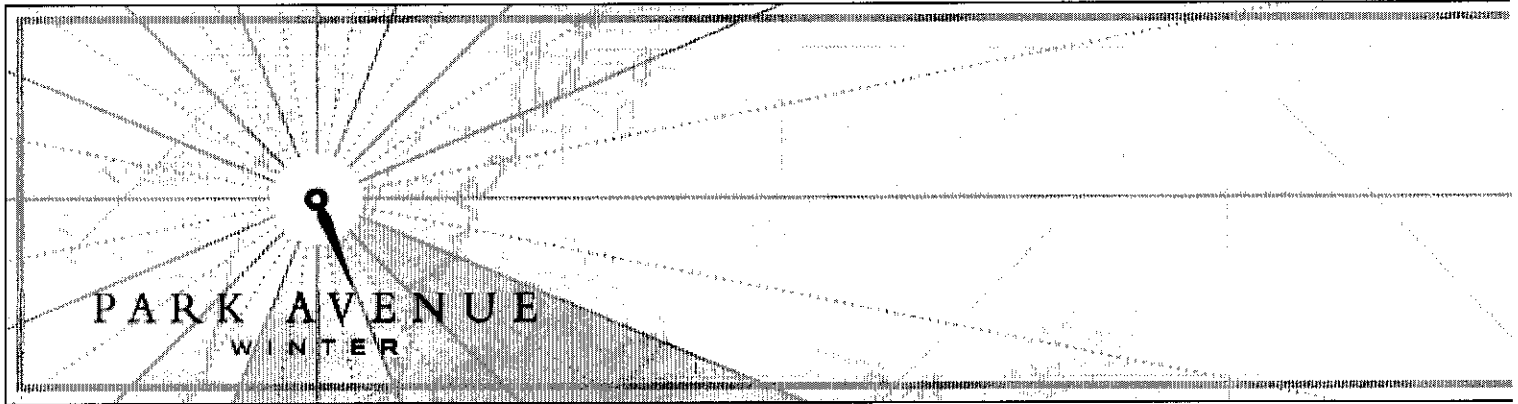


[630 Park Avenue](#)



[591 Park Avenue](#)

[See all peer buildings >>](#)



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## PRIVATE EVENTS AT PARK AVENUE

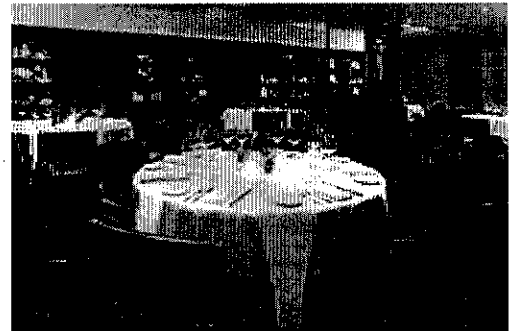
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[KITCHEN TABLE](#) | [ARCHIVE ROOM](#) | [TOWNHOUSE](#) | [PRIVATE DINING INQUIRY](#)

Park Avenue was designed by award-winning architects AvroKO. The streamlined, contemporary lines of the dining rooms design are accentuated by rustic cabinetry and inventive, artistic accents throughout the spaces. The unique design of each space will make an impression on your guests and make your event distinctive.

When you choose with the professionals at Park Avenue to plan an event, we will work closely with you to ensure that no detail is overlooked to make the occasion exemplary for you and your guests.

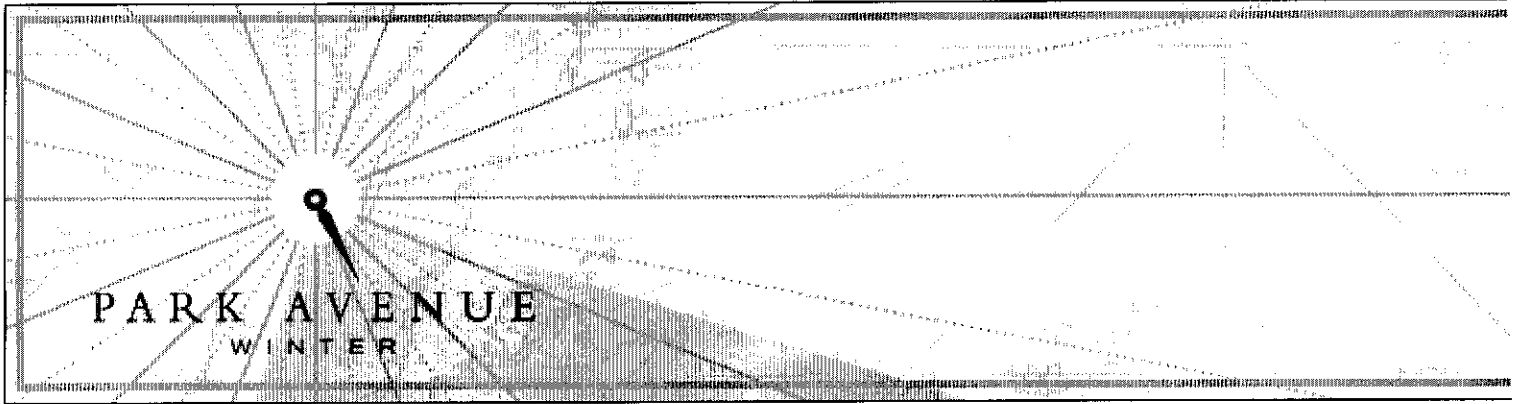
Unique features include customized music options. We have worked with acclaimed music producers for a house mix of classic jazz standards that set the tone for an upscale, festive event. If you prefer, you can be the maestro of the event's music by bringing your iPod or MP3 player, which we can connect to our sound system for a seamless, professional sound. We have relationships with the best resources for floral design and audiovisual to enhance your event, if required. We will work on your behalf to ensure a seamless experience. It is the thoughtful, special touches like this throughout the event planning and execution that make events at Park Avenue exceptional.



For more information on all of the private events rooms available, please fill out our [Private Dining Inquiry](#) form by clicking [HERE](#).



[About](#) | [Menus](#) | [Reservations](#) | [Private Events](#) | [Press](#) | [Contact](#) | [Site Map](#)



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## ABOUT PARK AVENUE WINTER

==

After a fleeting, but lovely season as Park Avenue Autumn, the restaurant on the Upper East Side of Manhattan has undergone a remarkable transition to **Park Avenue Winter**. The seasonal premise of the restaurant is evident in each aspect of its physical design, cuisine, and beverage program. Talented young chef Craig Koketsu (Quality Meats) created the winter-inspired menu with contemporary classic dishes. The menu's focus evolved from showcasing winter's most vibrant flavors at their freshest, to taking autumn's harvest and featuring it with diverse techniques, like roasting and braising. Richard Leach, James Beard award winner will be executive pastry chef with a stable of autumn confections that delight for their concentrated flavors and stunning presentations.



The team behind midtown rustic American restaurant Quality Meats collaborated to create Park Avenue Autumn. Restaurateur Michael Stillman joins forces with award-winning design firm AvroKO (Public, Stanton Social) on the concept and all aspects of architecture, design, and graphics of the new restaurant.

The physical design of Park Avenue reflects a space with a sense of discovery, rather than stereotypical physical manifestations of a "season." This led the design team in part to Captain James Cook's explorative travels as a loose design reference. They looked at the regions he had visited in each of his major expeditions as a way of framing each season.



**PARK AVENUE**  
WINTER

[About](#) | [Menus](#) | [Reservations](#) | [Private Events](#) | [Press](#) | [Contact](#) | [Site Map](#)

EXHIBIT T

Form 35-14M-70148

**DEPARTMENT OF HOUSING AND BUILDINGS**  
**BOROUGH OF MANHATTAN , CITY OF NEW YORK**

No. **36092**  
 Date **August 18, 1949**

**CERTIFICATE OF OCCUPANCY**

(Standard form adopted by the Board of Standards and Appeals and issued pursuant to Section 646 of the New York Charter, and Sections C.26-181.0 to C.26-187.0 inclusive Administrative Code 2.13.1. to 2.13.7. Building Code.)

This certificate supersedes C. O. No.

To the owner or owners of the building or premises:

THIS CERTIFIES that the ~~new~~ altered ~~existing~~ building ~~premises~~ located at

**564 Park Avenue**

Block **1377** Lot **33**

conforms substantially to the approved plans and specifications, and to the requirements of the building code and all other laws and ordinances, and of the rules and regulations of the Board of Standards and Appeals, applicable to a building of its class and kind at the time the permit was issued; and

CERTIFIES FURTHER that, any provisions of Section 646F of the New York Charter have been complied with as certified by a report of the Fire Commissioner to the Borough Superintendent.

N.Y.C. Alt. No.— **917-1948**

Construction classification— **Fireproof**

Occupancy classification— **Heretofore Erected Height**

**7 stories, 107' 5" feet.**

Date of completion— **August 10, 1949**

Located in **Residence** Use District.

**B** Area

**1** Height Zone at time of issuance of permit **1469-1948**

This certificate is issued subject to the limitations hereinafter specified and to the following resolutions of the Board of Standards and Appeals: (Calendar numbers to be inserted here)

**PERMISSIBLE USE AND OCCUPANCY**

| STORY      | LIVE LOADS<br>Lbs. per Sq. Ft. | PERSONS ACCOMMODATED |        |       | USE   |
|------------|--------------------------------|----------------------|--------|-------|---|
|            |                                | MALE                 | FEMALE | TOTAL |   |
| Sub-cellar | on ground                      |                      |        | 10    | (Valet room, boiler room and general machinery rooms.   |
| Cellar     | on ground                      |                      |        | 30    | Pool, dressing rooms and storage  |
| 1st story  | 90                             |                      |        | 200   | Ballroom and Clubrooms.   |
| Mezzanine  | 60                             |                      |        | 50    | Bookkeeper's and Manager's office.  |
| 2d story   | 60                             |                      |        | 40    | Clubrooms and lounge.   |
| Mezzanine  |                                |                      |        |       | Five (5) Maid's rooms, offices and storage room.  |
| 3d story   | 60                             |                      |        | 164   | Club rooms.   |
| Mezzanine  |                                |                      |        |       | Office and Ralph's Living Rooms.  |
| 4th story  | 60                             |                      |        |       | (Thirteen (13) Bedrooms and Two (2) rooms for Superintendent's suite, and offices and sitting room. |
| 5th story  | 60 & 90                        |                      |        |       | (Fourteen (14) Bedrooms, storage, and hairdressing room.  |
| 6th story  | 40                             |                      |        |       | Eleven (11) Maid's rooms and sitting room.  |
| 7th story  | 90 & 60                        |                      |        |       | (Offices, fan room, valet room, sitting room and Squash Court.                                      |

Note: This building complies with sec. 67 of the Multiple Dwelling Law.

Standpipe system, Interior Fire Alarm system, and Watchman's Time Detector system approved by Fire Department July 14, 1949



**NO CHANGES OF USE OR OCCUPANCY NOT CONSISTENT WITH THIS CERTIFICATE SHALL BE MADE UNLESS FIRST APPROVED BY THE BOROUGH SUPERINTENDENT**

Unless an approval for the same has been obtained from the Borough Superintendent, no change or rearrangement in the structural parts of the building, or affecting the light and ventilation of any part thereof, or in the exit facilities, shall be made; no enlargement, whether by extending on any side or by increasing in height shall be made; nor shall the building be moved from one location or position to another; nor shall there be any reduction or diminution of the area of the lot or plot on which the building is located.

The building or any part thereof shall not be used for any purpose other than that for which it is certified.

The superimposed, uniformly distributed loads, or concentrated loads producing the same stresses in the construction in any story shall not exceed the live loads specified on reverse side; the number of persons of either sex in any story shall not exceed that specified when sex is indicated, nor shall the aggregate number of persons in any story exceed the specified total; and the use to which any story may be put shall be restricted to that fixed by this certificate except as specifically stated.

This certificate does not in any way relieve the owner or owners or any other person or persons in possession or control of the building, or any part thereof from obtaining such other permits, licenses or approvals as may be prescribed by law for the uses or purposes for which the building is designed or intended; nor from obtaining the special certificates required for the use and operation of elevators; nor from the installation of fire alarm systems where required by law; nor from complying with any lawful order for additional fire extinguishing appliances under the discretionary powers of the fire commissioner; nor from complying with any lawful order issued with the object of maintaining the building in a safe or lawful condition; nor from complying with any authorized direction to remove encroachments into a public highway or other public place, whether attached to or part of the building or not.

If this certificate is marked "Temporary", it is applicable only to those parts of the building indicated on its face, and certifies to the legal use and occupancy of only such parts of the building; it is subject to all the provisions and conditions applying to a final or permanent certificate; it is not applicable to any building under the jurisdiction of the Housing Division unless it is also approved and endorsed by them, and it must be replaced by a full certificate at the date of expiration.

If this certificate is for an existing building, erected prior to March 14, 1916, it has been duly inspected and it has been found to have been occupied or arranged to be occupied prior to March 14, 1916, as noted on the reverse side, and that on information and belief, since that date there has been no alteration or conversion to a use that changed its classification as defined in the Building Code, or that would necessitate compliance with some special requirement or with the State Labor Law or any other law or ordinance; that there are no notices of violations or orders pending in the Department of Housing and Buildings at this time; that Section 646F of the New York City Charter has been complied with as certified by a report of the Fire Commissioner to the Borough Superintendent, and that, so long as the building is not altered, except by permission of the Borough Superintendent, the existing use and occupancy may be continued.

"§ 646 F. No certificate of occupancy shall be issued for any building, structure, enclosure, place or premises wherein containers for combustibles, chemicals, explosives, inflammables and other dangerous substances, articles, compounds or mixtures are stored, or wherein automatic or other fire alarm systems or fire extinguishing equipment are required by law to be or are installed, until the fire commissioner has tested and inspected and has certified his approval in writing of the installation of such containers, systems or equipment to the Borough Superintendent of the borough in which the installation has been made. Such approval shall be recorded on the certificate of occupancy."

Additional copies of this certificate will be furnished to persons having an interest in the building or premises, upon payment of a fee of fifty cents per copy.

**MARTIN HALE**, declares under the penalty of perjury, pursuant to 28 U.S.C. § 1746, as follows:

1. I am the General Manager of The Colony Club located at 564 Park Avenue in Manhattan. I make this declaration based on my personal knowledge and to the best of my recollection. The Colony Club is a strictly private social club that operates twenty-four hours a day. There are approximately two thousand six hundred (2600) members of The Colony Club and approximately ninety-five (95) employees.

2. In addition to its other functions as a private club, the Colony Club allows essentially three types of events: (i) catered events by members; (ii) catered events by guests sponsored by members; and (iii) Club events. There are, on average, two member events a month for, on average one hundred and twenty (120) attendees, and similarly two member sponsored events for the same number of attendees. Some members may also hold small luncheons or events (such as showers) for between 20 and 50 attendees in the smaller rooms at the Club. The Club events range from literary events with guest speakers and authors to musical recitals for Club members and their guests. These Club events take place on average twice a week and are held in the Ballroom. The average attendance at these events is approximately 140. The only exception to the above is the annual Christmas Ball which exceeds three hundred (300) attendees, using all the public rooms at the Club.

3. In addition, in 2007, there were fourteen (14) member or member sponsored wedding celebrations at the Colony Club, with an average attendance of one hundred fifty-eight (158). These celebrations took place in the Ballroom on the first floor of the Club.

Dated: New York, New York  
January 30, 2008

  
MARTIN HALE